

**SUPREME COURT MINUTES
WEDNESDAY, SEPTEMBER 7, 2005
SAN FRANCISCO, CALIFORNIA**

S019697

PEOPLE v. WARD (CARMEN)
(1) Order filed

Opinion modified.
Petition for rehearing denied.

S019697

(2) Modification of Opinion

Opinion modified. This modification changes
the appellate judgment.

S115823

B158966 Second Appellate District,
Division Two

REYNOLDS v. BEMENT
Opinion modified - no change in judgment

S135160

C044400 Third Appellate District

O'CONNELL v. CITY OF STOCKTON
Petition for review granted

Votes: George, C.J., Kennard, Baxter,
Werdegar, Chin, and Moreno, JJ.

S135359

H027409 Sixth Appellate District

PEOPLE v. RAMIREZ (JOSEPH JAMES)
Petition for review granted; transferred to CA 6

Petition for review GRANTED.

The above-entitled matter is transferred to the
Court of Appeal, Sixth Appellate District, with
directions to vacate its decision and to
reconsider the cause in light of *People v. Black*
(2005) 35 Cal.4th 1238.

Votes: George, C.J., Kennard, Baxter,
Werdegar, Chin, and Moreno, JJ.

S127529

B168042 Second Appellate District,
Division Five

PEOPLE v. SYKES
Dismissed per rule 29.3(b), and remanded to CA 2/5

In light of the decision in *People v. Black*,
(2005) 35 Cal.4th 1238, review in the above-

entitled matter is dismissed. (Cal. Rules of Court, rule 29.3(b).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S127824

B169476 Second Appellate District,
Division Six

PEOPLE v. VONNER

Dismissed per rule 29.3(b), and remanded to CA 2/6

In light of the decision in *People v. Black*, (2005) 35 Cal.4th 1238, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 29.3(b).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S128561

C044445 Third Appellate District

PEOPLE v. SAMPLE

Dismissed per rule 29.3(b), and remanded to CA 3

In light of the decision in *People v. Black*, (2005) 35 Cal.4th 1238, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 29.3(b).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S128582

D042980 Fourth Appellate District,
Division One

PEOPLE v. GEORGE

Transferred to CA 4/1 after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin and Moreno, JJ.

S128657

B167710 Second Appellate District,
Division Six

PEOPLE v. BUTLER

Transferred to CA 2/6 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Six, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin and Moreno.

S128771

D042549 Fourth Appellate District,
Division One

PEOPLE v. LEMUS

Transferred to CA 4/1 after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin and Moreno, JJ.

S128784

B169815 Second Appellate District,
B174734 Division Four

PEOPLE v. MALLORY

Transferred to CA 2/4 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin and Moreno, JJ.

S128835

B167962 Second Appellate District,
Division Four

PEOPLE v. HEROD

Transferred to CA 2/4 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its

decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S128921

B167344 Second Appellate District,
Division Four

PEOPLE v. SIDIC

Transferred to CA 2/4 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S128931

H026137 Sixth Appellate District

PEOPLE v. BARNES

Dismissed per rule 29.3(b), and remanded to CA 6

In light of the decision in *People v. Black*, (2005) 35 Cal.4th 1238, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 29.3(b).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S128933

B169138 Second Appellate District,
Division One

PEOPLE v. ARMSTRONG

Transferred to CA 2/1 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, Brown and Moreno, JJ.

S128970

A102560 First Appellate District,
Division Two

PEOPLE v. GAITAN

Transferred to CA 1/2 after hold

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S129000

A101799 First Appellate District,
Division Two

PEOPLE v. BUTLER

Dismissed per rule 29.3(b), and remanded to CA 1/2

In light of the decision in *People v. Black*, (2005) 35 Cal.4th 1238, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 29.3(b).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S129027

B166427 Second Appellate District,
Division Four

PEOPLE v. MOORE

Transferred to CA 2/4 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S129050

B165489 Second Appellate District,
Division Four

PEOPLE v. VAUGHN

Dismissed per rule 29.3(b), and remanded to CA 2/4

In light of the decision in *People v. Black*, (2005) 35 Cal.4th 1238, review in the above-

entitled matter is dismissed. (Cal. Rules of Court, rule 29.3(b).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S129060

D041819 Fourth Appellate District,
Division One

PEOPLE v. BUTLER

Transferred to CA 4/1 after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S129226

A102885 First Appellate District,
Division Two

PEOPLE v. DAVEY

Transferred to CA 1/2 after hold

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S129338

E034306 Fourth Appellate District,
Division Two

PEOPLE v. FERNANDEZ

Dismissed per rule 29.3(b), and remanded to CA 4/2

In light of the decision in *People v. Black*, (2005) 35 Cal.4th 1238, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 29.3(b).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S129344

H026265 Sixth Appellate District

PEOPLE v. JAFFE

Dismissed per rule 29.3(b), and remanded to CA 3

In light of the decision in *People v. Black*, (2005) 35 Cal.4th 1238, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 29.3(b).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S129454E034462 Fourth Appellate District,
Division Two

PEOPLE v. PEREZ

Transferred to CA 4/2 after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S129579D042896 Fourth Appellate District,
Division One

PEOPLE v. WAGENER

Dismissed per rule 29.3(b), and remanded to CA 4/1

In light of the decision in *People v. Black*, (2005) 35 Cal.4th 1238, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 29.3(b).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S129790

C044502 Third Appellate District

PEOPLE v. LEIGHTON

Transferred to CA 3 after hold

The above-entitled matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Black*

(2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin and Moreno, JJ.

S129800

A101084 First Appellate District,
Division Two

PEOPLE v. SORIA

Transferred to CA 1/3 after grant of review

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S129810

C041880 Third Appellate District

PEOPLE v. DALBY

Dismissed per rule 29.3(b), and remanded to CA 3

In light of the decision in *People v. Black*, (2005) 35 Cal.4th 1238, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 29.3(b).)

Votes: George, C.J., Baxter, Werdegarr, Chin, and Moreno, JJ.

S129826

A102251 First Appellate District,
Division Five

PEOPLE v. PICADO

Dismissed per rule 29.3(b), and remanded to CA 1/5

In light of the decision in *People v. Black*, (2005) 35 Cal.4th 1238, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 29.3(b).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S129855

D041699 Fourth Appellate District,
Division One

PEOPLE v. GOMEZ

Transferred to CA 4/2 after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S129869

A101011 First Appellate District,
A105127 Division Two

PEOPLE v. GUEVARA

Transferred to CA 1/2 after hold

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S129912

D042623 Fourth Appellate District,
Division One

PEOPLE v. VASQUEZ

Transferred to CA 4/1 after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S130032

B165580 Second Appellate District,
Division Seven

PEOPLE v. JUAREZ

Transferred to CA 2/7 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Seven, with directions to vacate its

decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin and Moreno, JJ.

S130065

C045613 Third Appellate District

PEOPLE v. EMERSON

Dismissed per rule 29.3(b), and remanded to CA 3

In light of the decision in *People v. Black*, (2005) 35 Cal.4th 1238, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 29.3(b).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S130086

H026899 Sixth Appellate District

PEOPLE v. ACKERMAN

Dismissed per rule 29.3(b), and remanded to CA 6

In light of the decision in *People v. Black*, (2005) 35 Cal.4th 1238, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 29.3(b).)

Votes: George, C.J., Kennard, Baxter, Wedegarr, Chin, and Moreno, JJ.

S130107

A104728 First Appellate District,
Division One

PEOPLE v. MARTINEZ

Transferred to CA 1/1 after hold

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Wedegarr, Chin, and Moreno, JJ.

S130148

D042779 Fourth Appellate District,
Division One

PEOPLE v. CROTEAU

Transferred to CA 4/1 after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S130199

A102205 First Appellate District,
Division One

PEOPLE v. WILSON

Transferred to CA 1/1 after hold

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S130201

A105756 First Appellate District,
Division One

PEOPLE v. HUGHES

Transferred to CA 1/1 after hold

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S130323

D042605 Fourth Appellate District,
Division One

PEOPLE v. MURILLO

Transferred to CA 4/1 after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District,

Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S130349

D042017 Fourth Appellate District,
Division One

PEOPLE v. WILKERSON

Transferred to CA 4/1 after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S130424

D042150 Fourth Appellate District,
Division One

PEOPLE v. HUGGINS

Transferred to CA 4/1 after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S130468

D042811 Fourth Appellate District,
Division One

PEOPLE v. CAMPA

Transferred to CA 4/1 after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of

People v. Black (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S130507

D043073 Fourth Appellate District,
Division One

PEOPLE v. MELLO

Transferred to CA 4/1 after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S130510

B171870 Second Appellate District,
Division Four

PEOPLE v. AGUILAR

Transferred to CA 2/4 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S130532

D042720 Fourth Appellate District,
Division One

PEOPLE v. JORDAN

Transferred to CA 4/1 after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S130593

A104398 First Appellate District,
Division Two

PEOPLE v. PERRY

Transferred to CA 1/2 after hold

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S130611

B172963 Second Appellate District,
Division Six

PEOPLE v. PRIETO

Dismissed per rule 29.3(b), and remanded to CA 2/6

In light of the decision in *People v. Black*, (2005) 35 Cal.4th 1238, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 29.3(b).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S130656

G033583 Fourth Appellate District,
Division Three

PEOPLE v. VU

Transferred to CA 4/3 after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Three, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S130725

B171070 Second Appellate District,
Division Four

PEOPLE v. JONES

Transferred to CA 2/4 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its

decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S130777

B166502 Second Appellate District,
Division Four

PEOPLE v. WHITE

Transferred to CA 2/4 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S130795

E034071 Fourth Appellate District,
Division Two

PEOPLE v. JOY

Dismissed per rule 29.3(b), and remanded to CA 4/2

In light of the decision in *People v. Black*, (2005) 35 Cal.4th 1238, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 29.3(b).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S130977

B168810 Second Appellate District,
Division Eight

PEOPLE v. LIDDELL

Transferred to CA 2/8 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Eight, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S131011

H026885 Sixth Appellate District

PEOPLE v. HARLESS

Dismissed per rule 29.3(b), and remanded to CA 6

In light of the decision in *People v. Black*, (2005) 35 Cal.4th 1238, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 29.3(b).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S131042B165767 Second Appellate District,
Division Eight

PEOPLE v. ESQUIBEL

Transferred to CA 2/8 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Eight, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin and Moreno, JJ.

S131050

H025678 Sixth Appellate District

PEOPLE v. LAMMERS

Transferred to CA 6 after hold

The above-entitled matter is transferred to the Court of Appeal, Sixth Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin and Moreno, JJ.

S131146B171776 Second Appellate District,
Division Four

PEOPLE v. MATAMOROS

Transferred to CA 2/4 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its

decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S131166

B171848 Second Appellate District,
Division Four

PEOPLE v. FRAUSTO

Transferred to CA 2/4 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S131325

D043512 Fourth Appellate District,
Division One

PEOPLE v. WILLIAMS

Transferred to CA 4/1 after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S131405

H025981 Sixth Appellate District
H026927

PEOPLE v. BROWN

Transferred to CA 6 after hold

The above-entitled matter is transferred to the Court of Appeal, Sixth Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S131442

A105299 First Appellate District,
Division Two

PEOPLE v. SHEA

Transferred to CA 1/2 after hold

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S131482

D042877 Fourth Appellate District,
Division One

PEOPLE v. SHAW

Transferred to CA 4/1 after hold

The above-entitled matter is transferred to the Court of Appeal, Four Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S131831

A102310 First Appellate District,
Division Two

PEOPLE v. GORMAN

Transferred to CA 1/2 after hold

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S131837

A103286 First Appellate District,
Division Two

PEOPLE v. POWELL

Transferred to CA 1/2 after hold

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division Two, with directions to vacate its

decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S131882

H026049 Sixth Appellate District

PEOPLE v. CARRASCO

Transferred to CA 6 after hold

The above-entitled matter is transferred to the Court of Appeal, Sixth Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S131962

B169227 Second Appellate District,
Division Eight

PEOPLE v. RODRIQUEZ

Transferred to CA 2/8 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Eight, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S132107

D043657 Fourth Appellate District,
Division One

PEOPLE v. CONTRERAS

Transferred to CA 4/1 after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S132120

A103850 First Appellate District,
Division Two

PEOPLE v. SPRANKLE

Transferred to CA 1/2 after hold

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S132219

B171066 Second Appellate District,
Division Eight

PEOPLE v. BELL

Transferred to CA 2/8 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Eight, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin and Moreno, JJ.

S132221

F044592 Fifth Appellate District

PEOPLE v. STANKEWITZ

Dismissed per rule 29.3(b), and remanded to CA 5

In light of the decision in *People v. Black*, (2005) 35 Cal.4th 1238, review in the above-entitled matter is dismissed. (Cal. Rules of Court, rule 29.3(b).).

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S132287

H027044 Sixth Appellate District

PEOPLE v. PATTON

Transferred to CA 6 after hold

The above-entitled matter is transferred to the Court of Appeal, Sixth Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Black*

(2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S132402

B171476 Second Appellate District,
Division Seven

PEOPLE v. VELASQUEZ

Transferred to CA 2/7 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Seven, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S132570

B169748 Second Appellate District,
Division Four

PEOPLE v. WILSON

Transferred to CA 2/4 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S132795

B173037 Second Appellate District,
Division Four

PEOPLE v. DAVIE

Transferred to CA 2/4 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S132843

A104615 First Appellate District,
Division Two

PEOPLE v. BIZZELL

Transferred to CA 1/2 after hold

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S132978

B173677 Second Appellate District,
Division Four

PEOPLE v. MACKEY

Transferred to CA 2/4 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S133007

B175088 Second Appellate District,
Division Four

PEOPLE v. SOTO

Transferred to CA 2/4 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S133067

B169300 Second Appellate District,
Division Four

PEOPLE v. THOMAS

Transferred to CA 2/4 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its

decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S133079

H026596 Sixth Appellate District

PEOPLE v. BIRREY

Transferred to CA 6 after hold

The above-entitled matter is transferred to the Court of Appeal, Sixth Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin and Moreno, JJ.

S133194

A103410 First Appellate District,
Division Two

PEOPLE v. MORRIS

Transferred to CA 1/2 after hold

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S133218

D043748 Fourth Appellate District,
Division One

PEOPLE v. SANDOVAL

Transferred to CA 4/1 after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, and Moreno, JJ.

S133274

B171456 Second Appellate District,
Division Eight

PEOPLE v. GONZALEZ

Transferred to CA 2/8 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Eight, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S133325

A106273 First Appellate District,
Division One

PEOPLE v. TEWOLDE

Transferred to CA 1/1 after hold

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J. Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S133375

H027006 Sixth Appellate District

PEOPLE v. SOVA

Transferred to CA 6 after hold

The above-entitled matter is transferred to the Court of Appeal, Sixth Appellate District, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S133416

D044029 Fourth Appellate District,
Division One

PEOPLE v. ESPINAL

Transferred to CA 4/1 after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its

decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S133419

G033659 Fourth Appellate District,
Division Three

PEOPLE v. YANG

Transferred to CA 4/3 after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Three, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S133470

B171826 Second Appellate District,
Division Eight

PEOPLE v. MENDEZ

Transferred to CA 2/8 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Eight, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S133492

D044200 Fourth Appellate District,
D044662 Division One

PEOPLE v. YOUNG

Transferred to CA 4/1 after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S133602

B167804 Second Appellate District,
Division Four

PEOPLE v. SALINAS

Transferred to CA 2/4 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S133787

B173406 Second Appellate District,
Division Four

PEOPLE v. SANDOVAL

Transferred to CA 2/4 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S133848

A106553 First Appellate District,
Division Two

PEOPLE v. MAYZES

Transferred to CA 1/2 after hold

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S133893

B166034 Second Appellate District,
Division Four

PEOPLE v. PEREZ

Transferred to CA 2/4 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its

decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S134064

B174478 Second Appellate District,
Division Four

PEOPLE v. MUSHARBASH

Transferred to CA 2/4 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S134080

B171636 Second Appellate District,
Division Eight

PEOPLE v. GHANEM

Transferred to CA 2/8 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Eight, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S134156

B170330 Second Appellate District,
Division Eight

PEOPLE v. ACOSTA

Transferred to CA 2/8 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Eight, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S134160

B174486 Second Appellate District,
Division Four

PEOPLE v. HERNANDEZ

Transferred to CA 2/4 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S134220

B168064 Second Appellate District,
Division Eight

PEOPLE v. CASTRO

Transferred to CA 2/8 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Eight, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S134444

A103315 First Appellate District,
Division Two

PEOPLE v. HINKLE

Transferred to CA 1/2 after hold

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S134448

B173224 Second Appellate District,
Division Four

PEOPLE v. HAMILTON

Transferred to CA 2/4 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its

decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S134557

B170749 Second Appellate District,
Division Four

PEOPLE v. ROSAS

Transferred to CA 2/4 after ho ld

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S134609

B172130 Second Appellate District,
Division Four

PEOPLE v. WITHERS

Transferred to CA 2/4 after hold

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, Division Four, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

S134612

A105165 First Appellate District,
Division One

PEOPLE v. IVEY

Transferred to CA 1/1 after hold

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *People v. Black* (2005) 35 Cal.4th 1238 (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin and Moreno, JJ.

S116359	GONZALES (JESSE) ON H.C. Petition for writ of habeas corpus denied (AA)
S134961 E038086 Fourth Appellate District, Division Two	VIVIAN (LINDA) ON H.C. Petition for review denied
S134977 B180852 Second Appellate District, Division Four	RODRIGUEZ (PETER JOHN) ON H.C. Petition for review denied
S134981 B183246 Second Appellate District, Division Seven	WILMONT (DENNIS) ON H.C. Petition for review denied
S135005 A110366 First Appellate District, Division Four	KING (DARREL) ON H.C. Petition for review denied
S135018 B180832 Second Appellate District, B175006 Division Seven	CUEVAS (ROBERTO) ON H.C. Petition for review denied
S135022 G032664 Fourth Appellate District, Division Three	PEOPLE v. LUU Petition for review denied
S135061 A101681 First Appellate District, A104110 Division One A104111 A104693	DAVID v. HERMAN Petition for review denied
S135063 A106671 First Appellate District, Division Five	TUCKER v. CINGULAR WIRELESS Petition for review denied
S135080 A106569 First Appellate District, Division Five	WOODS v. CINGULAR WIRELESS Petition for review denied

S135099

F047606 Fifth Appellate District

BRIDGEFORTH (RICHARD) ON H.C.

Petition for review denied

S135174

F045725 Fifth Appellate District

PEOPLE v. HEMPHILL

Petition for review denied

Baxter, J., was recused and did not participate.

S135199

H028873 Sixth Appellate District

JOHNSON v. S.C. (PEOPLE)

Petition for review denied

S135202

C044558 Third Appellate District

PEOPLE v. CHASSER

Petition for review denied

S135234

F045318 Fifth Appellate District

BANK OF AMERICA v. LA JOLLA GROUP II

Petition for review denied

Baxter and Chin, JJ., were recused and did not participate.

S135235G033673 Fourth Appellate District,
Division Three

PEOPLE v. TAULTON

Petition for review denied

S135241B171492 Second Appellate District,
Division Seven

PEOPLE v. RUSSELL

Petition for review denied

S135249E035262 Fourth Appellate District,
Division Two

PEOPLE v. RIVERA

Petition for review denied

S135255A110503 First Appellate District,
Division Four

MOSLEY (RON) ON H.C.

Petition for review denied

S135288A110468 First Appellate District,
Division Four

HARRELL (GARY T.) ON H.C.

Petition for review denied

S135294
C044478 Third Appellate District

PEOPLE v. JEWETT
Petition for review denied

S135310
B183612 Second Appellate District,
Division Seven

WICKLIFFE (ERIC) ON H.C.
Petition for review denied

S135311
H026959 Sixth Appellate District

AMERICAN ONLINE CASES
Petition for review denied

S135391
F048207 Fifth Appellate District

HILL (DAOUDA) ON H.C.
Petition for review denied

S135396
A109817 First Appellate District,
Division Three

HILL v. W.C.A.B. (CITY OF SANTA ROSA)
Petition for review denied

S135404
A103048 First Appellate District,
Division Two

CALIFORNIA CONTRACTORS LICENSE
SERVICES
v. SCRODIN ENTERPRISES INC.
Petition for review denied

S135405
F045985 Fifth Appellate District

PEOPLE v. AMAYA
Petition for review denied

S135407
A102620 First Appellate District,
Division Three

PEOPLE v. BRADY
Petitions for review denied

S135428
H025889 Sixth Appellate District

PEOPLE v. VENTIMIGLIA
Petition for review denied

S135430
G031508 Fourth Appellate District,
Division Three

PEOPLE v. TRUONG
Petitions for review denied

S135446
E033956 Fourth Appellate District,
E034545 Division Two

PEOPLE v. COLLIER
Petitions for review denied

S135473
F045532 Fifth Appellate District

PEOPLE v. PEREZ
Petition for review denied

Baxter, J., was recused and did not participate.

S135480
B168657 Second Appellate District,
Division Three

PEOPLE v. TAPIA
Petition for review denied

S135485
B170750 Second Appellate District,
Division Three

PEOPLE v. QUARANTA
Petition for review denied

S135490
F045281 Fifth Appellate District

BIRD v. BOARD OF SUPERVISORS OF THE
COUNTY OF MARIPOSA
Petition for review denied

Baxter, J., was recused and did not participate.

S135522
B172325 Second Appellate District,
Division Six

PEOPLE v. MOORE
Petitions for review denied

S135556
C045887 Third Appellate District

PEOPLE v. CONLEY
Petition for review denied

S135565
E030401 Fourth Appellate District,
Division Two

PEOPLE v. RODRIGUEZ
Petition for review denied

S135583
G034390 Fourth Appellate District,
Division Three

PEOPLE v. GALLARDO
Petition for review & depublication request denied

S135588
C045113 Third Appellate District

PEOPLE v. PENA
Petition for review denied

S135623
B183195 Second Appellate District,
Division Four

LAND (MARQUIS) ON H.C.
Petition for review denied

S135651

F044405 Fifth Appellate District

PEOPLE v. ROBERTS

Petition for review denied

S135654

F048296 Fifth Appellate District

PRENDEZ v. S.C. (PEOPLE)

Petition for review denied

S135701E035424 Fourth Appellate District,
Division Two

PEOPLE v. SILVA

Petition for review denied

S135709D044211 Fourth Appellate District,
Division One

FORENSIS GROUP v. FRANTZ, TOWNSEND &

Petition for review denied

Kennard and Werdegar, JJ., are of the opinion
the petition should be granted.

S135732B177275 Second Appellate District,
Division Five

PEOPLE v. CARR

Petition for review denied

S135759G034882 Fourth Appellate District,
Division Three

PEOPLE v. ROWE

Petition for review denied

S135760

F044043 Fifth Appellate District

PEOPLE v. MERAS

Petition for review denied

S135847A110508 First Appellate District,
Division Four

MCKESSON HBOC v. S.C. (STATE OF OREGON)

Petition for review denied

Kennard, J., was recused and did not participate.

S135951E035890 Fourth Appellate District,
Division Two

PEOPLE v. MANSKER

Petition for review denied

S135965G033416 Fourth Appellate District,
Division Three

PEOPLE v. DORANTES-BUCIO

Petition for review denied

S135966 B175261 Second Appellate District, Division Eight	PEOPLE v. FLOYD Petition for review denied
S135967 G034571 Fourth Appellate District, Division Three	PEOPLE v. BOYARS Petition for review denied
S135972 G034726 Fourth Appellate District, Division Three	PEOPLE v. MAUZEY Petition for review denied
S135979 C047976 Third Appellate District	K. (BRIANNE), IN RE Petition for review denied
S135980 B175755 Second Appellate District, Division One	PEOPLE v. LLOYD Petition for review denied
S135981 C047670 Third Appellate District	PEOPLE v. HOUSTON Petition for review denied
S135982 C048049 Third Appellate District	PEOPLE v. SAYLOR Petition for review denied
S135983 B178852 Second Appellate District, Division Six	PEOPLE v. GORDON Petition for review denied
S135985 C045830 Third Appellate District	PEOPLE v. EVANS Petition for review denied
S135988 B175460 Second Appellate District, Division Six	PEOPLE v. MOORE Petition for review denied
S135989 A106531 First Appellate District, Division Five	PEOPLE v. BALLARD Petition for review denied

S135992

G034387 Fourth Appellate District,
Division Three

JONES v. HUMANSIZE CORPORATION

Petition for review denied

S135997

G034051 Fourth Appellate District,
Division Three

PEOPLE v. HILLMAN

Petition for review denied

S136003

B174483 Second Appellate District,
Division One

PEOPLE v. EYNON

Petition for review denied

S136005

A108399 First Appellate District,
Division Five

Y. (DARNELL), IN RE

Petition for review denied

S136009

A104943 First Appellate District,
Division Two

PEOPLE v. DANCEL

Petition for review denied

S136010

G033904 Fourth Appellate District,
Division Three

PEOPLE v. MARTINEZ

Petition for review denied

S136019

E035230 Fourth Appellate District,
Division Two

PEOPLE v. SALAZAR

Petition for review denied

S136021

B178811 Second Appellate District,
Division Four

PEOPLE v. CEPEDA

Petition for review denied

S136024

C048261 Third Appellate District

PEOPLE v. RUIZ

Petition for review denied

S136026

A108338 First Appellate District,
Division Five

PEOPLE v. JONES

Petition for review denied

S136027

B176255 Second Appellate District,
Division Four

NAKADA v. DE LA FLOR

Petition for review denied

S136032

A107948 First Appellate District,
Division One

PEOPLE v. REYNOLDS

Petition for review denied

S136033

B184384 Second Appellate District,
Division One

KATSH v. S.C. (ESHAGHIAN)

Petition for review denied

S136041

A107359 First Appellate District,
Division Five

PEOPLE v. OZAETA

Petition for review denied

S136050

A106678 First Appellate District,
Division Three

PEOPLE v. VARGAS

Petition for review denied

S136052

A110213 First Appellate District,
Division Four

BAKERJIAN v. W.C.A.B. (S. P. CARPET PRO)

Petition for review denied

S136058

G034244 Fourth Appellate District,
Division Three

PEOPLE v. KING

Petition for review denied

S136059

A106000 First Appellate District,
Division Five

PEOPLE v. COOK

Petition for review denied

S136064

B177581 Second Appellate District,
Division Five

PEOPLE v. OWENS

Petition for review denied

S136066

A106560 First Appellate District,
Division Four

PEOPLE v. SHUMAKE

Petition for review denied

S136072

H028253 Sixth Appellate District

PEOPLE v. PIPER

Petition for review denied

S136075

C047167 Third Appellate District

PEOPLE v. WILEY

Petition for review denied

S136076A106790 First Appellate District,
Division Two

PEOPLE v. CLARK

Petition for review denied

S136082B169590 Second Appellate District,
Division FiveVEHICULAR TECHNOLOGIES CORPORATION v.
TITAN WHEEL INTERNATIONAL INC.

Petition for review denied

S136083B175122 Second Appellate District,
Division One

PEOPLE v. MONTANEZ

Petition for review denied

S136088B173676 Second Appellate District,
Division Two

PEOPLE v. LOPEZ

Petition for review denied

S136095G033828 Fourth Appellate District,
Division Three

PEOPLE v. PIMENTAL

Petition for review denied

S136097

C046944 Third Appellate District

PEOPLE v. BOYCE

Petition for review denied

S136107B177174 Second Appellate District,
Division Three

PEOPLE v. ALASHKAR

Petition for review denied

S136114G032582 Fourth Appellate District,
Division Three

PEOPLE v. DEJESUS

Petition for review denied

S136116 A104897 First Appellate District, Division Three	PEOPLE v. MACKIE Petition for review denied
S136118 B174615 Second Appellate District, Division Seven	PEOPLE v. WILLIAMS Petition for review denied
S136119 D043963 Fourth Appellate District, Division One	PEOPLE v. WILLIAMS Petition for review denied
S136134 C047556 Third Appellate District	PEOPLE v. HUETT Petition for review denied
S136160 C048178 Third Appellate District	PEOPLE v. DEVLIN Petition for review denied
S136168 D044716 Fourth Appellate District, Division One	PEOPLE v. WESTGARTH Petition for review denied
S136203 F045884 Fifth Appellate District	PEOPLE v. BASSEY Petition for review denied
S136249 E035022 Fourth Appellate District, Division Two	PEOPLE v. ANCHONDO Petition for review denied
S136252 G034001 Fourth Appellate District, Division Three	PEOPLE v. URIOSTEGUI Petition for review denied
S136429 B184806 Second Appellate District, Division Three	NGUYEN v. S.C. (PEOPLE) Petition for review and application for stay denied

S136548

BENAVIDES v. S.C. (PEOPLE)
Petition for writ of mandate/prohibition denied

S136592

LEE v. C.A.(PEOPLE)
Petition for writ of mandate/prohibition denied

S136622

H029113 Sixth Appellate District

BUEHLER & BUEHLER STRUCTURAL
ENGINEERS v. S.C. (SCOTTS VALLEY UNIF SCH)
Application for stay and petitions for review denied

S136706

F046435 Fifth Appellate District

PEOPLE v. JONES
Petition for review and application for stay denied

Pursuant to rules 29.9(a) and 47.1(a) of the California Rules of Court, the appeal currently pending in the Court of Appeal, Fifth Appellate District, F046435, is hereby transferred to this court. The Clerk of the Kings County Superior Court is ordered to augment the record on appeal to include the report of S. Miles Estner, M.D., Ph.D., on appellant's competence to stand trial, filed under case number 04M 0006, as described in item No. 1 of appellant's "Application to Augment Record on Appeal," filed in the Court of Appeal on July 13, 2005. The clerk is directed to cause such material to be prepared and certified and to transmit the same to the Court of Appeal and to counsel, on or before 15 days from the date of this order. Appellant's opening brief on appeal will be due 30 days after counsel receives the supplemental clerk's transcript.

Pursuant to rule 29.3(e) of the California Rules of Court, the appeal is retransferred to the Court of Appeal, Fifth Appellate District.

Petition for review DENIED as moot.

Baxter, J., was recused and did not participate.

S123180

LOVE (TERRY) ON H.C.
Petition for writ of habeas corpus denied

S126489

SCOTT (HOWARD) ON H.C.
Petition for writ of habeas corpus denied

S127748

ANDERSON (DONNA) ON H.C.
Petition for writ of habeas corpus denied

S127978

CHUMAN (LAOS) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dannenberg* (2005) 34 Cal.4th 1061;
In re Rosenkrantz (2002) 29 Cal.4th 616.)

S128067

CRAY (KENNETH L.) ON H.C.
Petition for writ of habeas corpus denied

S128518

STEWART (EDWARD) ON H.C.
Petition for writ of habeas corpus denied

S128545

CAUDLE (RAMON) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Miller* (1941) 17 Cal.2d 734.)

S128571

ORTIZ (DAVID FERNANDO) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218.)

S128646

COLE (KARI M.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734; *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709.)

S128673

JAMES (CLEO J.) ON H.C.
Petition for writ of habeas corpus denied

S128695

MARTIN (GEORGE) ON H.C.
Petition for writ of habeas corpus denied

S128699

SMITH (JAMES) ON H.C.
Petition for writ of habeas corpus denied

S128714

CANNON (TYRRALL F.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

S128732

JONES (SAMUEL E.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218.)

S128773

BREWSTER (MARK) ON H.C.
Petition for writ of habeas corpus denied

S128774

ROBLEDO (CARLOS) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218.)

S128775

WATTREE (BYRON) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S128776

GAUTT (DARRELL A.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;
In re Waltreus (1965) 62 Cal.2d 218.)

S128785

HADDOCK (LARRY D.) ON H.C.
Petition for writ of habeas corpus denied

S128796

MAI (NHAT) ON H.C.
Petition for writ of habeas corpus denied

S128799

CRUMB (MARCUS T.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S128818

WOODS (BARRY) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;
In re Dexter (1979) 25 Cal.3d 921.)

S128833

ZERMENO (RUBEN V.) ON H.C.
Petition for writ of habeas corpus denied

S128838

RIVERA (OMAR LENZE) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S128839

ROBB (JOHN R.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S128841

DSAACHS (DINO) ON H.C.
Petition for writ of habeas corpus denied

S128870

BOLAR (LINDSEY C.) ON H.C.
Petition for writ of habeas corpus denied

S128873

URIBE (JERRY F.) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;
In re Waltreus (1965) 62 Cal.2d 218; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)

S128882

LUJAN (REUBEN) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Lindley* (1947) 29 Cal.2d 709.)

S128887

HOWELL (ROBERT E.) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S128891

MOORE (BRUCE) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;
In re Waltreus (1965) 62 Cal.2d 218.)

S128976

OLIVAS (ROBERT) ON H.C.

Petition for writ of habeas corpus denied

S128978

CEPHUS (JONATHAN) ON H.C.

Petition for writ of habeas corpus denied

S128980

OCASIO (JOSE) ON H.C.

Petition for writ of habeas corpus denied

S130900

VAN NORMAN (THOMAS) ON H.C.

Petition for writ of habeas corpus denied

S131391

HOUSTON (ROYCE) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756.)

S131401

STRAIN (CHARLES) ON H.C.

Petition for writ of habeas corpus denied

S132101

NEWMAN (CHARLES) ON H.C.

Petition for writ of habeas corpus denied

S132617

HART (AUBREY) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S133482

NEWMAN (CHARLES) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)

S134349

CADE (LAFAYETTE) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921.)

S134747

HOWARD (RON) ON H.C.

Petition for writ of habeas corpus denied

S135051

CADE (LAFAYETTE) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921.)

S136133

OWENS (ROGER) ON H.C.
Petition for writ of habeas corpus denied

for failure to demonstrate exhaustion of administrative remedies. (See *In re Dexter* (1979) 25 Cal.3d 921; *People v. Duvall* (1995) 9 Cal.4th 464, 474; see also *In re Reeves* (2005) 35 Cal.4th 765.)

S136152

BRADY (FRANKLIN) ON H.C.
Petition for writ of habeas corpus denied

S136156

O'NEAL (NIGEL) ON H.C.
Petition for writ of habeas corpus denied

S136162

HARRIS (ARTHUR) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S136194

MOLINA (ROY) ON H.C.
Petition for writ of habeas corpus denied

S136287

FORT (JAMES W.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S136347

NWANDU (SUPERB O.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

S136348

HOWARD (RON) ON H.C.
Petition for writ of habeas corpus denied

S136430

STEWART (MICHAEL) ON H.C.
Petition for writ of habeas corpus denied

S136432

GRAY (COREY C.) ON H.C.
Petition for writ of habeas corpus denied

S136609

RICHARDS (ROBERT ALAN) ON H.C.
Petition for writ of habeas corpus denied

S134812

SALYER ON REINSTATEMENT
Order: (dispositive)

The order previously issued in this matter on August 31, 2005, is vacated, and the following order is issued in its place:

Upon petition for reinstatement and recommendation of the State Bar Court, it is ordered that MARK HAMILTON SALYER be reinstated as a member of the State Bar of California upon his paying the fees and taking the oath required by law.

The Court does not accept requests from any person or entity for depublication of State Bar Court opinions. The Clerk of the Court is directed to return to the State Bar its "Request for Depublication" of the State Bar Court Review Department opinion in this matter.

S134369

A104870 First Appellate District,
Division Two

CHEVRON FIRE CASES

Publication request denied (case closed)

Kennard, J., was recused and did not participate.

S135765

B174073 Second Appellate District,
Division Two

STANDARD PACIFIC OF ORANGE COUNTY v.
CITY OF WALNUT

Publication request denied (case closed)

S136320B177081 Second Appellate District,
Division Three

EVANS v. HAMILTON WAY TRUST

Publication request denied (case closed)

S037625

PEOPLE v. HARRIS (LANELL)

Extension of time granted

to November 7, 2005 to file appellant's reply brief. After that date, only one further extension totaling about 30 additional days will be granted. Extension is granted based upon Deputy State Public Defender Joel Kirshenbaum's representation that he anticipates filing that brief by early December 2005.

S045060

PEOPLE v. LOKER (KEITH T.)

Extension of time granted

to November 7, 2005 to file respondent's brief. After that date, only one further extension totaling about 60 additional days is contemplated. Extension is granted based upon Deputy Attorney General Holley A. Hoffman's representation that she anticipates filing that brief by early 2006.

S045982

PEOPLE v. AVILA (JOHNNY, JR.)

Extension of time granted

to September 14, 2005 to file respondent's brief. Extension is granted based upon Supervising Deputy Attorney General Louis M. Vasquez's representation that he anticipates filing that brief by 9/14/2005. After that date, no further extension will be granted.

S054569

PEOPLE v. WHALEN (DANIEL L.)

Extension of time granted

to October 5, 2005 to file respondent's brief. Extension is granted based upon Deputy Attorney General Catherine G. Tennant's representation that she anticipates filing that

brief by 10/5/2005. After that date, no further extension is contemplated.

S057242

PEOPLE v. SPENCER (CHRISTOPHER A.)

Extension of time granted

to November 7, 2005 to file appellant's opening brief.

S061026

PEOPLE v. MCCURDY (GENE E.)

Extension of time granted

to November 7, 2005 to file appellant's opening brief. After that date, only two further extensions totaling about 120 additional days will be granted. Extension is granted based upon Deputy State Public Defender Gary D. Garcia's representation that he anticipates filing that brief by 3/6/2006.

S072161

PEOPLE v. POTTS (THOMAS)

Extension of time granted

to November 7, 2005 to file appellant's opening brief. After that date, only two further extensions totaling about 120 additional days will be granted. Extension is granted based upon Deputy State Public Defender Michael P. Goldstein's representation that he anticipates filing that brief by 3/3/2006.

S078404

PEOPLE v. BRADY (ROGER H.)

Extension of time granted

to October 14, 2005 to file appellant's opening brief. After that date, only one further extension totaling about 30 additional days will be granted. Extension is granted based upon counsel Susan K. Marr's representation that she anticipates filing that brief by 11/2005.

S122384

STURM (GREGORY) ON H.C.

Extension of time granted

to October 3, 2005 to file the reply to the informal response to the petition for writ of habeas corpus. Extension is granted based upon counsel Gary D. Sowards's representation that he anticipates filing that document by 10/3/2005. After that date, no further extension will be granted.

S127630

HUGGINS (MICHAEL JAMES) ON H.C.

Extension of time granted

to September 12, 2005 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only one further extension totaling about 50 additional days is contemplated. Extension is granted based upon counsel Jack G. Cairl's representation that he anticipates filing that document by the end of October 2005.

S132646

JONES (MICHAEL LAMONT) ON H.C.

Extension of time granted

to October 6, 2005 to file the informal response to the petition for writ of habeas corpus. After that date, only 11 further extensions totaling about 330 additional days will be granted. Extension is granted based upon Deputy Attorney General Holley A. Hoffman's representation that she anticipates filing that document by November 2006.

S012261

PEOPLE v. ALVAREZ (MANUEL M.)

Motion for access to sealed record granted

The "Renewed Motion to Authorize Inspection and Copying of Certain Confidential Materials," filed on August 10, 2005, is granted. Counsel is granted access to the confidential materials in *People v. Manuel Machado Alvarez* (S012261) and *In re Alvarez on Habeas Corpus* (S073670). Counsel must supply the personnel and

equipment necessary to undertake this review and copying of the records, which must occur on the premises of the court.

S011636

PEOPLE v. BLAIR (JAMES N.)
Motion denied

The "Motion to Determine Appellant's Competency" filed on August 2, 2005, is denied without prejudice to renewal in conjunction with, or following, the filing of a petition for writ of habeas corpus by counsel. (*People v. Kelly* (1992) 1 Cal.4th 495, 545-547.)

S037006

PEOPLE v. HUGGINS (MICHAEL J.)
Order filed

Respondent's application to file oversize supplemental brief is granted.

S130457

D044209 Fourth Appellate District,
Division One

J. (OLIVIA), IN RE
Order filed

The order appointing Appellate Defenders, Inc., as counsel of record for minor Olivia J., filed May 16, 2005, is hereby vacated. Joseph Travano is hereby appointed as attorney of record for minor Olivia J. Your attention is directed to California Rules of Court, rule 29.1, for the briefing requirements. Please note also that, because is a child dependency case, the court may grant an extension of time only on "an exceptional showing of good cause." (Code Civ. Proc., Section 45; Cal. Rules of Court, rule 38.2(d).)

S135048

FRANKLIN ON DISCIPLINE
Recommended discipline imposed

It is ordered that **SIDNEY FRANKLIN, JR., State Bar No. 37135**, be suspended from the practice of law for eight months, that execution of the suspension be stayed, and that he be

placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on May 10, 2005. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S135052**PRICE ON DISCIPLINE**

Recommended discipline imposed

It is ordered that **ROGER DANIEL PRICE, State Bar No. 106203**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for 120 days and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California. as recommended by the Hearing Department of the State Bar Court in its decision filed on April 11, 2005. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If respondent is actually suspended for two years or more, he must remain actually suspended until he provides proof to the satisfaction of the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct. It is further ordered that respondent comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with

Business & Professions Code section 6086.10
and payable in accordance with Business &
Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S135054

TANANA ON DISCIPLINE

Recommended discipline imposed: disbarred

It is ordered that **Thomas Scott Tanana, State Bar No. 147892**, be disbarred from the practice of law in the State of California and that his name be stricken from the Roll of Attorneys. Tanana is ordered to comply with rule 955 of the California Rules of Court and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

Bar Misc. 4186

**IN THE MATTER OF THE APPLICATION OF
THE COMMITTEE OF BAR EXAMINERS OF THE
STATE BAR OF CALIFORNIA FOR ADMISSION
OF ATTORNEYS**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(LIST OF NAMES ATTACHED TO
ORIGINAL ORDER)

